

REMARKS

In response to the Office Action dated April 6, 2006, Applicants respectfully request reconsideration.

Claims 1-41 are pending in the application. All of the claims have been rejected. Applicants respectfully disagree with the rejections.

Rejections Under 35 U.S.C. §112

The Examiner has rejected claims 1 and 32 for reciting “an activity.” The Examiner asserts that the claim language is unclear because it does not particularly point out the subcomponent of the apparatus where this activity is taking place.

It appears that this rejection is based on an incorrect interpretation of the claim term “an activity.” “Activity” is a term used in the present application as a name for a component that implements a portion of a collaboration session. In the examples given as part of the description of the preferred embodiment, an “activity” is a portion of an application program that is used in implementing a collaboration session (see, for example, page 1, line 15). When a user within the collaboration session performs some action, the activity generates an update request in response to that action. Accordingly, the “activity” is a *thing*, not an action. That *thing* is a component of the claimed apparatus and there is no further need to define where this “activity” exists.

Claim 32 is rejected for the same reasons as claim 1. However, claim 32 does not use the term “activity.” Claim 32 recites “means for implementing a collaboration session for a user.” This claim is written in the format expressly authorized by 35 U.S.C. §112 paragraph 6 and should not be rejected.

Claims 1 and 32 are also rejected under 35 U.S.C. §112 as being incomplete for omitting essential structural cooperative relationships of elements. The Examiner cites M.P.E.P. §2172.01. However, that section of the M.P.E.P. relates to “essential elements of the invention as defined by the Applicant(s) in the specification.” The Examiner points to no inter-relationships that are defined in the specification to be essential. Accordingly, this rejection under 35 U.S.C. §112 should be withdrawn.

The Examiner further advises the Applicant “to clearly show each subcomponent along with its functionality and interconnection with other subcomponents that are part of the apparatus for managing software component update.” However, the M.P.E.P. imposes no such requirement. To the contrary, M.P.E.P. §2172.01 states the opposite: “it is not essential to a patentable combination that there be interdependency between the elements of the claimed device or that all the elements operate concurrently toward the desired result.”

Further, though 35 U.S.C. §112 does not require that there be an interdependency between elements of a claim, the inter-relationship of the recited elements is clear from the claim. Claim 1 recites “an activity” that generates “an update request.” The component manager “receives the request.” Providing the request from the activity to the component manager defines an interconnection between the activity and the component manager.

Claim 1 further recites that the component manager extracts URL information. A download manager receives that URL information. The reception of the URL information extracted by the component manager defines an interconnection between the download manager and the component manager.

The claim further recites that the download manager retrieves a file. An install manager asynchronously installs the file. Installing a file retrieved by the download manager defines an interconnection between the install manager and the download manager.

Claim 32 similarly recites dependencies: The first means generates a request. The second means parses the request and extracts URL information. The third means uses the means the URL information to retrieve a file. The fourth means installs a component from the file.

Therefore, even though the rules do not require interconnections between the elements of the claims, the claim nonetheless recites such interconnections. Accordingly the rejection under 35 U.S.C. §112 should be withdrawn.

Rejection Under 35 U.S.C. §103

Claims 1-41 are rejected under 35 U.S.C. §103 as being unpatentable over Russell and Parthesarathy. Applicants respectfully disagree.

As to claim 1, the Examiner asserts that Russell shows a component manager that receives a request and has a parser that extracts from the request URL information which identifies the location of a file containing software component resources for satisfying the request. Applicants disagree with the interpretation of Russell.

Though Russell describes computer systems that may implement a collaboration session, Russell describes object oriented programming (column 11, line 27). Individual clients create objects and those objects are transmitted to a server, which operates as a central repository (column 2, lines 23-30). From the central repository, the objects are distributed to other clients where the objects are processed by “client collaboration software on the client computer system” (column 2, lines 32-37).

Presumably, the Examiner equates “objects” in Russell with “requests” as recited in the claim. Even with this interpretation, Russell does not meet the limitations of claim 1 as asserted by the Examiner. Specific processing of objects by the client collaboration software is not described in Russell, but one of skill in the art would understand Russell to describe a system in which the clients are programmed in advance with client collaboration software to process objects. There is no teaching or suggestion in Russell to obtain software component resources to process an object in any way. Accordingly, there is no teaching or suggestion in Russell of “a parser that extracts from the request URL information which identifies the location of a file containing software component resources for satisfying the request,” as recited in claim 1.

The Examiner asserts that this element of claim 1 is shown at column 11, lines 39-67 of Russell. However, Russell describes a method and apparatus for managing objects in a client/server computing system environment. Specifically, Russell describes mechanisms and techniques which allow for the creation and management of objects so that each contains a unique object identification (column 3, lines 40-43). The passage at column 11, lines 39-67 merely provides an overview of the client/server environment. It does not describe obtaining software component resources to process the objects. Therefore, Russell does not teach or suggest obtaining software component resources for satisfying a request or “a parser that extracts from the request URL information.”

Russell also does not meet other limitations of claim 1. The Examiner acknowledges that Russell does not show a download manager or install manager as claimed. Rather the rejection is based on a combination of Russell with Parthesarathy, which the Examiner asserts teaches a download manager and an install manager. However, because Russell does not teach or suggest a component manager that extracts from a request URL information which identifies the location of a file, there is no motivation to modify the system of Russell to use the system of Parthesarathy to download such a file.

In summary, there is no *prima-facie* case of obviousness for at least two reasons. First, there is no motivation to combine the references. Second, even if combined, the combination would not include a component manager having “a parser that extracts from the request URL information which identifies the location of a file containing software component resources for satisfying the request,” as recited in claim 1. The rejection under 35 U.S.C. §103 of claim 1 should therefore be withdrawn.

The rejection of claim 11 should also be withdrawn. Claim 11 recites: “parsing the request to extract from the request URL information which identifies the location of a file containing software component resources for satisfying the request.” Neither of the references discloses or suggests such a step in a collaboration session as recited in the other elements of claim 11. Russell and Parthesarathy do not establish a *prima-facie* case of obviousness of claim 11 because there is no motivation to combine the references and, even if combined, the references would not show all limitations of the claim.

As to claim 21, Russell and Parthesarathy also do not establish a *prima-facie* case of obviousness. Neither reference teaches or suggests “program code that extracts from the request information which identifies the location of a first file for satisfying the request.” Therefore, there is no motivation to combine the references and, even if combined, the references would not teach all limitations of the claim. Further, claim 21 recites “program code that extracts from the first file an indicia of a trusted supplier and obtains second location information of a second file, the second file containing a second component.” These limitations are not taught or suggested by either Russell or Parthesarathy, providing a further reason why the rejection of claim 21 should be withdrawn.

As to claim 31, neither Russell nor Parthesarathy teaches or suggests “program code that extracts from the request URL information which identifies the location of a first file containing software component resources for satisfying the request.” Because neither reference teaches or suggests this limitation, there is no motivation to combine the references, and even if combined, the references would not teach all limitations of claim 31. Further, neither reference teaches “program code that extracts from the first file dependency information identifying a second component on which the first component is dependent” and “program code that selectively downloads a second a second file when the dependency information indicates the second component is in the second file.” Because neither of the references teaches or suggests these limitations. The rejection of claim 31 should be withdrawn.

As to claim 32, Russell and Parthesarathy do not create a *prima-facie* case of obviousness because neither teaches or suggests “means ...for parsing the request to extract from the request URL information which identifies the location of a file containing software component resources for satisfying the request.” Accordingly, there is no motivation to combine the references and, even if combined, the combination would not teach each limitation of the claim.

The remaining claims depend, directly or indirectly, from one of claims 1, 11, 21, 31 or 32. Each of the remaining claims should be allowed for the reasons given in conjunction with the independent claim from which it depends. The dependent claims recite additional features, which further distinguish over the references.

CONCLUSION

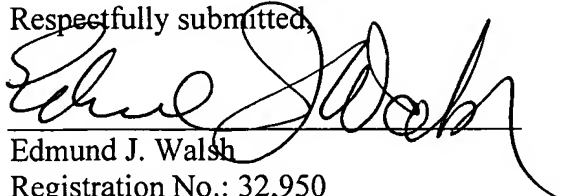
In view of the above remarks, applicant believes the pending application is in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: 6/5/06

Respectfully submitted,

By:


Edmund J. Walsh
Registration No.: 32,950
WOLF, GREENFIELD & SACKS, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
(617) 646-8000